THE CLEAN ENVIRONMENT COMMISSION

Manitoba
Environment

MG 912

REPORT ON PUBLIC HEARINGS

MANITOBA HAZARDOUS WASTE MANAGEMENT CORPORATION CENTRAL HAZARDOUS WASTE MANAGEMENT FACILITY LICENCE APPLICATION

(Disponible en français sur demande)

THE MANITOBA CLEAN ENVIRONMENT COMMISSION
AUGUST, 1992

Includes 25% post-consumer waste

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PREFACE

This report contains a summation of the evidence presented at public hearings convened by the Manitoba Clean Environment Commission to hear evidence on a licence application submitted by the Manitoba Hazardous Waste Management Corporation. The application was for the purpose of establishing a central hazardous waste management facility in the Rural Municipality of Montcalm, Manitoba.

A detailed account of the evidence presented before the Commission is contained in the Verbatim Transcript of the hearing that is available for review at the offices of The Clean Environment Commission and at designated *Public Registry* locations. A list of the individuals and organizations who participated in the hearing process, along with a list of Exhibits filed, are attached to this report as Appendix "A" and Appendix "B" respectively.

READERS NOTE

Questions related to specific evidence have been placed in context, and appear in *Italics*.

THE CLEAN ENVIRONMENT COMMISSION

Under The Environment Act (1988) the Clean Environment Commission provides a process for the public to participate in the environmental decision making process in Manitoba. The Commission also provides the Environment Minister with advice and recommendations concerning environmental issues and licensing matters.

Commission membership includes a full-time Chairperson and part-time Commissioners appointed by Order in Council. Members come from a wide variety of occupations and reside in different regions of the province.

THE PUBLIC HEARING PROCESS

Public participation in Manitoba's environmental decision-making process is facilitated in part through Clean Environment Commission hearings. The Commission conducts these hearings according to procedures that have been developed to encourage public involvement.

The Commission strives to ensure that the evidence and opinions of all participants are treated fairly and with due respect and consideration.

THE MANITOBA HAZARDOUS WASTE MANAGEMENT CORPORATION
CENTRAL HAZARDOUS WASTE MANAGEMENT FACILITY HEARING PROCESS

BACKGROUND

Manitoba's systematic examination of hazardous waste began in the early 1980s. Through a public symposium, a number of preliminary studies conducted by the province, and a first round of public hearings held by the Clean Environment Commission in late 1983 and early 1984, a basic regulatory framework was developed. Recommendations for addressing the issue were also articulated. This stage of the process concluded with a second round of hearings, convened by the Commission from November 1986 to January 1987. The next phase of the program included the final determination of the components of the hazardous waste management system as well as the selection of sites for the location of management facilities.

The Manitoba Hazardous Waste Management Corporation (the Corporation) was formally established with the proclamation of The Manitoba Hazardous Waste Management Corporation Act in November 1986 and became operational in August of 1987. As a commercial Crown Corporation it was given the mandate to plan and initiate the development of a comprehensive system to manage the province's hazardous waste. The Corporation is to provide for the handling of provincially regulated hazardous wastes from their source through to their treatment and disposal, consistent with high standards of public health, safety and environmental protection.

Manitobans produce approximately 180,000 tonnes of provincially-regulated hazardous waste annually. As well, contaminated soils, including those containing hydrocarbons, require management.

A central treatment facility is a fundamental component of the waste management system being developed for Manitoba. A siting process for the central facility began in 1988, with 60 municipalities expressing some level of interest. The Corporation has filed its site specific application, development proposal and environmental impact assessment for the development of a central hazardous waste management facility.

COMMISSION TERMS OF REFERENCE

In a letter dated March 31, 1992, the Minister of Environment requested that the Clean Environment Commission hold a hearing to review the proposal filed by the Manitoba Hazardous Waste Management Corporation for the development of a central hazardous waste management facility in the Rural Municipality of Montcalm. The proposal was filed under both The Dangerous Goods Handling and Transportation Act (DGH&TA) and The Manitoba Environment Act. An Environmental Impact Assessment (EIA) was incorporated as part of the proposal.

CENTRAL FACILITY HEARING PROCESS

The hearing, scheduled for Letellier in the Rural Municipality of Montcalm, on June 8th, 9th, 1992, and continuing as necessary on successive days, was advertised in the Winnipeg Free Press, the Crow Wing Warrior, La Liberte, and the Red River Valley Echo. The hearing was held in the Letellier Community Hall, commencing at 7:00 PM each evening including Wednesday, June 10th. Simultaneous French translation service was provided through the entire hearing.

The panel consisted of Commissioners Linda Ericsson, Arnold Barr, and Maurice Blanchard and was chaired by Dale Stewart, Commission Chairman.

SUMMARY OF THE PROPOSAL

The Manitoba system for dealing with hazardous waste dictates that "source-based" management be given priority. Source-based management is the application of reduction, reuse, recycling, treatment or recovery techniques at the location where the waste is generated. Facility development therefore focuses on those wastes not amenable to source-based management and on those residues resulting from source-based management activities. The Manitoba system includes local collection capability, transportation within the system, development of resource recovery capability as well as access to out-of-province resource recovery, treatment and disposal capabilities.

The Corporation is applying for a licence to construct and operate a central hazardous waste management facility in the Rural Municipality of Montcalm as a key and major component of an integrated system. The application deals with the overall requirements of the hazardous waste

management system, the elements of the central hazardous waste management facility, the site selection process, the site setting and description, the environmental assessment, environmental monitoring and the ongoing public and community participation aspects of the project.

As reflected by R. J. Cooke, President and CEO of the Corporation "the proposed development is intended to provide a safe, environmentally secure, publicly accepted and economically viable infrastructure and location to manage materials defined under provincial regulation as hazardous wastes". No such facility currently exists in the province. The facility is viewed as a long term investment in the future.

The proposed development is to be located in the Rural Municipality of Montcalm. (Figure #1).

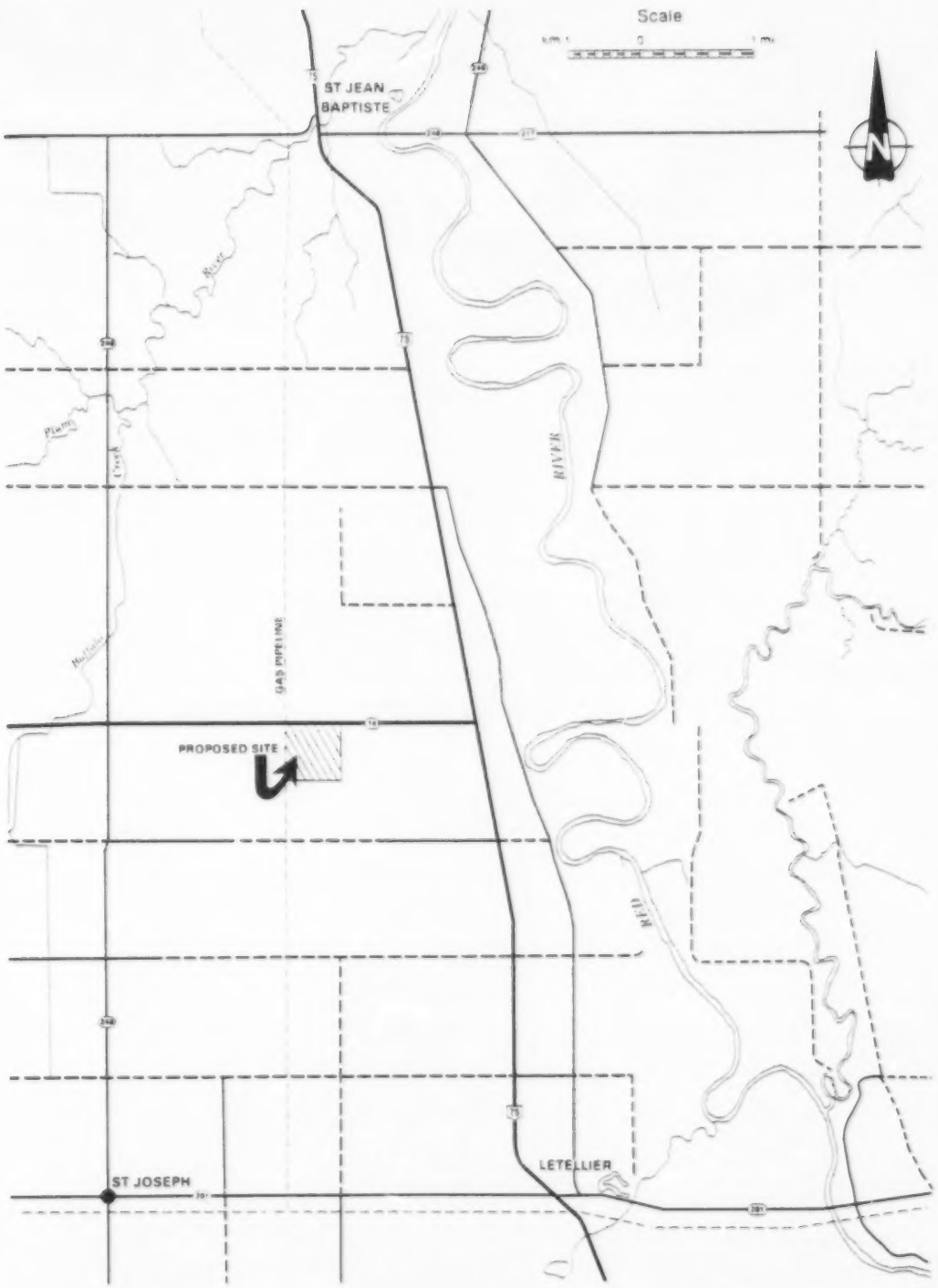
ENVIRONMENTAL GUIDELINES AND THE ENVIRONMENTAL IMPACT ASSESSMENT

This proposal has been identified under Manitoba Regulation 164/88 as a Class 2 development relating to Waste Treatment and Storage and Scrap Processing Facilities. The filing of the proposal under The Manitoba Environment Act and The Dangerous Goods Handling and Transportation Act (DGH&TA) was deemed essential to insure that an environmental impact assessment was completed in view of the fact that appropriate sections of the DGH&TA were not yet in place. It was understood at the time of the hearing that these sections would come into effect June 30, 1992.

The review process for the central facility was officially initiated in April, 1990 with the Corporation filing a project proposal document. The Corporation requested environmental impact assessment guidelines from Manitoba Environment. Through Manitoba Environment, the interdepartmental Technical Advisory Committee (TAC) was formed and prepared draft environmental impact assessment (EIA) guidelines. These were issued by Manitoba Environment in February 1991 [Exhibit # 5(hh)].

The proposal and EIA components were developed using these draft guidelines.

FIGURE 1
(Proposed Site Location)



The final guidelines, distributed in early June, were substantively the same and the Corporation requested that the application as filed be viewed as responsive to both the draft and the final guidelines.

PRESENTATION OF PROPOSAL BY THE CORPORATION

In addition to R.J. Cooke, President and CEO, several staff members of the Corporation participated in the presentation of the proposal. They included:

John McCabe - Mgr., Engineering and Operations;
Alun Richards - Mgr., External Affairs;
Edwin Yee - Mgr., Systems Development; and,
Barbara Connell - Socio-Economic Coordinator.

INTRODUCTION

The objective of a hazardous waste management system for the Manitoba is to provide a comprehensive capability for the management of provincially regulated hazardous wastes as they currently exist. The system should allow for the flexibility required to respond to the future needs of the province as they develop. The system is intended to operate commercially on a cost recovery basis with the various components functioning in a cooperative rather than a competitive basis. Source-based management is a priority.

The system includes seven functional components of which the treatment and disposal capability and the storage and transfer capability are component parts. This application and EIA applies to both components since the proposed facility combines these into a single site.

The Corporation requested that the Clean Environment Commission recommend that it be granted a license by Manitoba Environment to build and to operate a central hazardous waste disposal facility, subject to the terms and conditions that might be deemed appropriate but as a minimum those terms and conditions formally agreed to between the Corporation and the Rural Municipality of Montcalm. The proposed central hazardous waste management facility includes the following operating elements:

- organic and inorganic waste handling and short-term storage;
- organic liquid waste bulking and blending;
- waste volume reduction and recycling;
- inorganic waste physical/chemical treatment;
- aqueous organic waste physical/chemical treatment;
- liquid residuals treatment;
- solid residue immobilization;
- secure solid residue repository; and,
- organically contaminated soils remediation.

In addition, and associated with these elements, would be the following support infrastructure:

- headquarters, administrative and technical support offices for the overall system and the facility;
- analytical laboratory;
- site surface water retention and management;
- environmental monitoring system; and,
- site access and utilities.

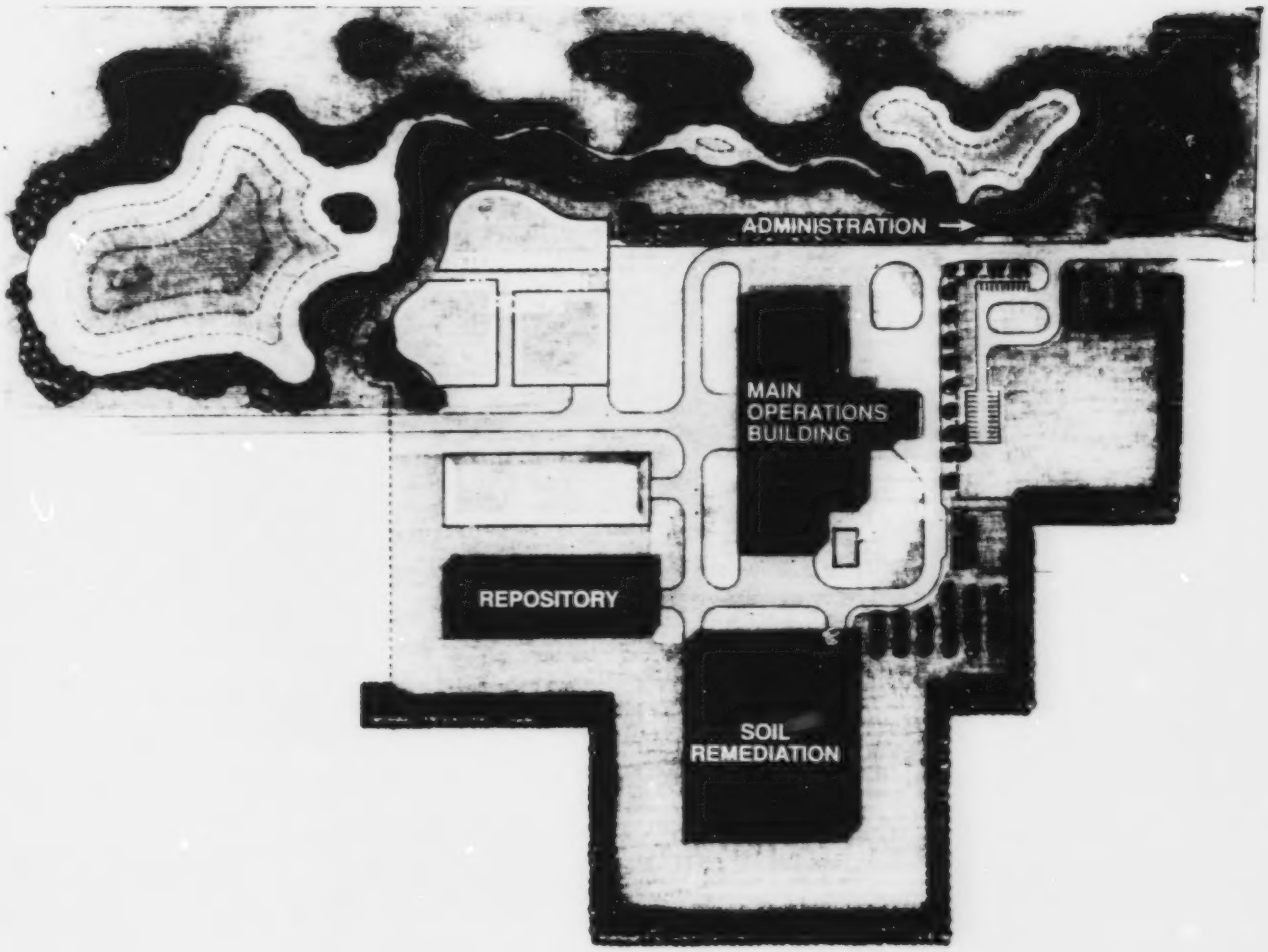
Figure # 2 illustrates the facility elements and the overall site configuration.

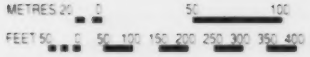
PROVINCIAL HAZARDOUS WASTE MANAGEMENT PROGRAM

A historical perspective on the hazardous waste issue and the public perspective was presented. Hazardous waste and its management have evolved over the past two decades as a major environmental issue on the part of governments, industry and the public. The cost of properly managing wastes as they are produced at the source are far less than the environmental costs and consequences and the costs of clean-up and remediation of uncontrolled releases of environmental contaminants.

While society's increasing awareness of the problems associated with hazardous waste is considered to be a positive sign, this awareness tends to be emotional and at times deals with perception rather than fact. Hazardous wastes seem characterized by the belief that they represent some unique, inherent and acute risk to those who are associated with them or a hazard to those in the

FIGURE 2
(Facility Layout)





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vicinity of where they are being managed. This confuses the problem with the solution and in many instances inhibits or prevents the adoption of proper management solutions. Hazardous wastes are not unique and more correctly could be defined as waste dangerous goods.

The Corporation has been given broad powers in the planning and execution of a comprehensive provincial hazardous waste management system which includes services to both public and private sector clients on an "as requested" basis.

A specific requirement of the EIA guidelines were that the development should incorporate and reflect the principles and guidelines of sustainable development. The Corporation reported that the approach taken inherently reflects this policy direction and represent an example of its practical application. The policy objectives of the Corporation relates closely to the sustainable development principles and guidelines and are reflected in the application.

PROVINCIAL HAZARDOUS WASTE MANAGEMENT SYSTEM

The facility submitted for licensing is an integral component of the Manitoba system and is a result of a program started in the early 1980s. From the earlier symposium and Commission hearings on hazardous waste, the basic requirements of the system were summarized as:

- management of provincially regulated wastes;
- providing services as soon as reasonably possible;
- encompassing the complete spectrum of waste management options;
- a program affordable to the taxpayer;
- including high degree of public involvement and acceptance; and,
- ensuring costs do not discourage regulatory compliance or use, or impose economic disadvantage.

From these early Commission hearings and symposium, a number of constraints or risks identified were faced in meeting the system requirements, including:

- difficulty in predicting the size of the waste market;
- a need to ensure a comprehensive regulatory infrastructure and enforcement capability for system viability; and,
- the requirement for a degree of public financial support.

Public resistance to the site location of hazardous waste management facilities remains one of the greatest barriers to providing proper services. The concern contributes to high development costs and is often a primary reason for the lengthy time required for development approval. The open public process implemented by the Corporation was intended to address this barrier. Although the general public perceives the treatment and disposal processes to be high risk, in reality the higher risks are associated with the transportation and transfer process.

In terms of the planned scale for a central facility, it is estimated that some 180,000 metric tonnes of hazardous wastes are produced in Manitoba annually, with the largest volume comprised of inorganic wastes. The most common method of disposal tends to be sewerage. Of the 180,000 tonnes, an estimated 23,000 metric tonnes require treatment and disposal at an off-site facility with an estimated 15,000 tonnes available for processing by the central facility. In addition, it is estimated that in excess of 20,000 tonnes of hydrocarbon contaminated soil requires remediation.

Excluded from this application are the majority of waste oils, and pathological and biomedical wastes. Also excluded from the treatment component are PCBs. Radioactive and explosive wastes are a responsibility of the Federal Government and are excluded.

Although the facility design provides for a 20,000 tonne hydrocarbon soil remediation unit, its inclusion would be based upon the development of air emission requirements by the province for decontamination of hydrocarbon contaminated soil to insure sufficient potential volumes to warrant such an investment decision by the Corporation.

The Corporation was asked how they would characterize the environmental enforcement system in Manitoba. They responded that the regulatory system had two components. The first component being regulation development and the second being enforcement. They indicated that in recent times there had been a substantial increase in enforcement.

READERS NOTE

Questions related to specific evidence have been placed in context, and appear in *Italics*.

System Description

The overall system has been designed to provide a basic capability to competently and economically handle regulated hazardous wastes available for management in the Manitoba. The system is intended to operate in an integrated fashion with its various components supporting each other, and to operate on a cost recovery basis. The central facility would respond to market needs, maintaining flexibility in order to accommodate changes. Incineration is not included as one of the elements to be developed due to the high costs associated with this management process.

Assumptions that influenced the design of the overall hazardous waste management system include:

1. source-based management service capability;
2. local collection infrastructure;
3. storage/transfer capability;
4. transportation capability;
5. treatment and disposal capability;
6. resource recovery capability; and,
7. out-of-Province access to resource recovery, treatment and disposal capability.

Access to out-of-province treatment facilities would be required, particularly where treatment requires high temperature incineration.

Clarification was requested on out-of-province access to this facility, reciprocal arrangements, and to the thoughts of a "master plan" for the western jurisdictions. The Corporation advised that their intent was to meet Manitoba's needs, but that the Corporation was an advocate of "regional sharing of waste management capabilities". Importation of waste was not considered in the sizing and the design of the facility. Manitoba would always remain dependent on out-of-province facilities for some of the management of hazardous waste and in particular, those requiring treatment of last resort. Reciprocal arrangements were identified as matters requiring public policy determination.

Responding to a systems planning question, although no master plan is currently in place for the western jurisdictions, the Canadian Council of Ministers of the Environment has in place a hazardous waste task force comprised of the four western provinces and the two territories, who are

examining the requirements within the region. As well, a great deal of Canada-US contact exists, particularly since the majority of the commercial waste currently handled by the corporation is exported for treatment.

Responding to a question as to the economic viability of a facility to designed to manage wastes generated in Manitoba, the Corporation responded that it would be economically viable as long as proper regulations and enforcement were in place. They also indicated that from a business investment standpoint, the fewer the restrictions and constraints on the market, the more attractive the business. The incremental approach to development allows for future public policy flexibility on this issue.

A concern over the Corporation stockpiling some wastes during the phasing of construction was expressed, however, the Corporation advised that no stockpiling would take place, and that hazardous waste would be exported to other treatment facilities, until the appropriate system was in place at the Montcalm site.

A concern was raised regarding the transporting of large quantities of waste to the U.S. for incineration, and the implications of the borders being closed to such transport. The Corporation stated that an international agreement between Canada and the U.S. existed and that within the next year both countries would be signatories to an agreement known as the Bazeel Convention, which provides for the international movement of regulated waste. The Manitoba facility has been designed to meet U.S. standards to insure acceptance of the waste.

Manitoba Environment requested elaboration on the process used to "qualify" out of province facilities utilized by the Corporation. In response, the Corporation advised that they qualify carriers and facilities by reviewing facility operations and company compliance records. They also indicated that site visits by Corporation personel are common.

Business Planning

Hazardous waste treatment is an industry with many barriers to investment including, but not limited to, the public perception of danger, liabilities, site location issues and public policy.

The business plan being pursued for the system's development, including the facilities submitted for licensing in this application, is based upon the existence of a single responsibility for

the system. It is recognized that a caution associated with this approach is the potential risk of non-competitive pricing. However, since this system must operate in a broad market where the option of direct access to external services exist, competition is ensured.

The business plan could include a number of shareholders or discrete enterprises. Ownership would involve both public and private shareholders.

The basic components that would operate in a fully integrated fashion under common control include the central management facility, dedicated transportation services, and local collection capability.

CENTRAL HAZARDOUS WASTE MANAGEMENT FACILITY

The facility would employ a range of physical and chemical treatment processes to handle provincially regulated inorganic and aqueous organic waste streams, along with a secure repository for immobilized solid treatment residues. The facility would function as a collection center where organic material would be combined for transfer to treatment and resource recovery facilities in other jurisdictions.

Nothing would enter or leave the central facility without being identified. A waste acceptance and control protocol would ensure proper identification. An analysis of the waste would be required as well as representative samples for verification.

Responding to the concern respecting vehicles showing up at the facility without a manifest and with material that the Corporation might not wish to handle, the Corporation indicated that they would have the ability to quarantine, and that Manitoba Environment would have to advise on disposition.

Facility Overview and General Operation

An overview of the central hazardous waste facility and its general operations was presented. The site would be fenced and secured and all drainage and access would be controlled. The principle components of the facility include the following:

The administration building containing:

- administrative offices;
- access control; and,
- vehicle weigh scale controls.

The Main Operations Building containing:

- materials receiving and handling;
- materials storage;
- sorting and packaging area;
- drum emptying/cleaning/washing facilities;
- inorganic physical/chemical treatment plant;
- organic physical/chemical treatment plant;
- solvent recovery unit;
- solid treatment residue immobilization plant;
- laboratory; and,
- operating plant support structure.

Solid Treatment Residue Repository including:

- housed active secure repository cell; and,
- completed secure repository cells.

Tank Farm containing:

- bulk organic storage; and,
- fuel blending capability.

Site Control, Protection and Monitoring including:

- surface water collection/segregation system;
- environmental monitoring system;
- emergency response capability;
- data management system;
- process control; and
- safety and security.

Contaminated Soils Remediation.

In terms of the overall flow of material in the facility, waste materials would be received at the facility by truck estimated to be 14 vehicles per day when at design capacity.

In response to a question concerning treated waste water possibly being transported to the city of Winnipeg for further treatment, the Corporation responded that based upon the anticipated composition of the material which would meet city sewer guidelines, approval in principle had been received from technical City staff for this practice.

On a question of related storage and transfer facilities to be located elsewhere in the province, in addition to Winnipeg, the Corporation indicated that these would be required but would be smaller in scale. The Corporation has carried on discussions with Brandon and Thompson and with a number of other municipal jurisdictions who are examining the possibility of joint facilities.

Providing clarification on the storage capability of the Montcalm repositories, the Corporation stated that each would handle about 15,000 tonnes and would accommodate the amount generated in one years time.

Design Philosophy

Central to the design of the facility were a number of principles. Protection would be provided against all paths of potential environmental contaminants, and materials would be treated such that their hazardous properties were eliminated or minimized. By-products of the operation would be suitable for reuse in the facility, or either released without environmental consequences, or secured and contained. In addition, a high level of environmental and human protection would be provided, commercially proven technology would be available, and the course and disposition of all material would be fully controlled and tracked.

Maximum design flexibility and expandability would be incorporated and public access would be considered in the design. The design capacity would be for a single shift operation. A range of treatment processes would be available. Water utilization from the treatment processes would be maximized, and water not reused would be treated to a level suitable for discharge. In addition, the design would be in accordance with the "extreme continental" climate classification. Site surface water would be collected, monitored and treated prior to release and indoor air, ambient air, surface and ground water would all be monitored. Monitoring of all process operations would be

continuous. A centralized data acquisition and control system would be used for all material handled. In addition, a high level of fire protection would be incorporated into the design.

On a question of European standards, the Commission was advised that they did exist and that the Europeans were more advanced with developments than Canada, and that those European standards associated with site remediation and stabilization of wastes might well be more appropriate.

In response to a question on PCBs, the Corporation responded that the community specifically requested that they be excluded from the waste stream. Currently storage is provided by Manitoba Hydro, but since PCBs are no longer produced or used commercially, the requirements for treatment or storage were projected to gradually drop from the existing 3000 tonnes annually. Low concentration PCBs are treated by Manitoba Hydro, with the balance shipped out-of-province for incineration as the treatment of last resort.

On a question concerning public access to the facility, the Corporation advised that they intend to provide access to records, and to open the facility for the visiting public. A public access design protocol has been developed .

On a question of the availability of outside access to emergency services and vehicles, the Corporation indicated that they would have a three hour dedicated supply of water for fires, and have an undertaking with the community to provide emergency response training. The overall emergency capability in the lower Red River Valley would be enhanced with the addition of the Corporations emergency capability. It was noted that the nature of the primary emergency response was confirmed to be available off the site as well as on-site, and would be available not just for Corporation vehicles, but for all carriers.

Facility Access, Layout and Landscaping

An existing municipal road allowance would be utilized for access and developed as a paved access to the site. The intersection with Provincial Trunk Highway 14 would be developed to accommodate large sized vehicles.

Site grading would create a self-contained watershed to control runoff within the development. The site would be elevated and the borrow areas developed as holding ponds and water

retention areas. Surface water is given special management by division into two zones. An active zone is designated for those areas where there is potential for waste spills or leaks, with the remainder of the surface water moving through a non-active zone.

The entire area would be landscaped consistent with farmstead prairie soil conservation and wetland regeneration practices. Snow drift zones and shelter belts would be appropriately incorporated into the design.

The Corporations response to a question on mitigative plans and processes which would be implemented in the event of a catastrophic flood, indicated that anything greater than a 1 in 100 year flood would be dealt with through the elimination of "vulnerable areas" where materials could be removed such as waste stocks and reagent materials. They indicated as well, that providing protection for floods greater than the 1 in 100 year flood was the rationale behind raising the elevation of the site in addition to standard dyking.

Incremental Development Plan

This facility is intended to meet the needs of the waste market as anticipated to develop over the next three to five years. Additional components would be added incrementally as demand and appropriate business decisions dictate.

The initial increment would include:

- the serviced site;
- administration building;
- waste receiving, storage and transfer;
- bulk liquid organic storage and blending;
- environmental monitoring; and,
- soils remediation.

The soils remediation component would be predicated on a commitment being made by major generators of this material to utilize the service and discontinue the traditional disposal practices. This would require regulatory consideration.

Subsequent incremental additions would include:

- inorganic processing capability;

- solvent recovery;
- aqueous organic treatment; and,
- residue repository.

It is anticipated that with changing needs and technology additional components may be proposed. Even though the facility location and infrastructure are being developed with future needs and with flexibility in mind, any additions would be subject to formal licensing processes.

In view of the varying estimates of the quantities and the classifications of wastes, the ability of the facility to accommodate changing amounts from year to year was questioned. The Corporation's response was that varying amounts could be accommodated.

Responding to whether the Corporation would be tracking PCBs, they advised that this was a responsibility of the regulatory agency.

Responding to a question on the concerns about the viability of the Corporation if other facilities were operating, they expressed their assurance that they did not see problems with the Corporations viability as long as a "level regulatory playing field" existed.

Facility Management and Operations

Facility management encompasses the development of policies, programs and procedures to ensure that construction and operations are undertaken not only within the overall regulatory framework, but also in accordance with co-management principles established with the community. This co-management program has been designed to provide direct input by the community into decision making. It is intended to relate to those matters affecting the interests of the community, and to insure that the community has knowledge of, and input into, the operation of the facility. The formal mechanisms through which "co-management" would be practiced including:

- representation of the local community on the Corporation Board of Directors;
- establishment of a community liaison committee;
- local residents on a plant co-management group; and,
- a local member employed at the plant on the Workplace Safety and Health Committee.

Operating guidelines are intended to outline important operational features and to form part of the facility operations manual which would be compiled during the detailed design phase of the project. Facility decommissioning would be subject to a detailed closure plan and would include a facility assessment, site investigations, post-closure monitoring, future use consideration of the site, detailed site development plans to convert the site, and the costs associated with conversion.

SITE SELECTION PROCESS

The Corporation's environmental policies have included an undertaking to earn public approval of the system and its components. The siting process reflected experience gained from other jurisdictions as well as the recommendations of the Clean Environment Commission resulting from previous public hearings. Public acceptance of the overall systems components and of the location of the facilities was considered essential. For that reason public participation in the entire process has been and continues to be a key feature of the Corporation's approach.

The site selection process used by the Corporation employed voluntary participation on the part of communities that expressed interest in the facility and detailed discussions with elected Municipal Councils. In addition to the identification of areas with an environmental and technical capability, public acceptance constituted the dominant factor in successfully siting a hazardous waste management facility.

During this community-focused consultation and siting process, 15 municipalities came forward and some 40 open-houses were held.

Screening Process

In September, 1989 the Montcalm Council invited the Corporation to a Council meeting. A voluntary Montcalm Advisory Committee (MAC) was then formed which held public sessions that dealt with a wide range of concerns including health, property values, and various legal and environmental concerns. It was demonstrated that fifty percent of the population had been in attendance at one or more of the public meetings. MAC also toured hazardous waste facilities in Quebec, Alberta and Minnesota.

In December, 1990 a petition with approximately 450 signatures opposing the potential siting of the facility in Montcalm was sent to the MAC and presented to the Municipal Council. An independent consulting firm was contracted to conduct a random telephone survey in Montcalm. The survey concluded that 74% of the adult population supported proceeding further with the development.

Based on the results of the survey, the Corporation and the community proceeded with the siting investigation and in the summer of 1991, an Option to Purchase Agreement was completed on the preferred site. The MAC continued with its activities and in August of 1991 presented its report to Montcalm Municipal Council. Following a report recommendation that a referendum be held to determine the citizen acceptance on the site, a referendum was held in September of 1991, with 67.1% in favor of proceeding.

In summary, Montcalm demonstrated a high level of public acceptance through the Advisory Committee, Municipal Council, and the September 1991 referendum. Montcalm has conditioned the development with reasonable and clear terms. Montcalm's certainty and maturity provides a positive business and investment climate. It also offers a highly qualified location in environmental, technical and socioeconomic terms.

Following the siting decision, work began on the environmental impact assessment. The Corporation has continued to work with the municipality primarily through the Montcalm Environmental Impact Assessment Committee formed by the Council to deal with the contents of the EIA and the relationship of the EIA to community values.

SITE DESCRIPTION AND SETTING

The property under consideration was identified as 64 hectares of farm land described as the NE 1/4 of section 2 Township 3 Range 1E. Approximately 14 hectares in the NE portion of the property would be required for the facility, with the remainder continuing in agricultural production. In terms of the study, the entire area within an 8 kilometer radius was assessed.

The municipality was described as having very flat topography with the relief over the site approximately 0.5 meters. The proposed site is within the designated 100 year flood plain of the Red River during which time the predicted water level would be 0.8 meters above the existing average

elevation. To account for flood levels and freeboard the site would be graded to an elevation 1.4 meters above the average grade. Localized dikes would also be constructed around the facility.

The geology of the site shows an average of approximately 0.5 meters of top soil, 5 meters of weathered brown clay, 31 meters of unweathered gray clay and 30 meters of glacial till overlaying 30 meters of bedrock Dolomite. The low permeability of the gray clay was considered a major factor contributing to the superior containment capabilities of the site. These clays were not extensively fractured. The Dolomite contains unusable ground water due to a high level of mineralization.

Hydrogeologically, the site has been summarized as well suited for the operation of a hazardous waste management facility due to the thickness of the low permeability clay, the absence of a significant vertical gradient, and the non-potable nature of any bedrock aquifers. It was felt that these factors would minimize, if not eliminate, the risk of adverse environmental impacts due to movement of contaminants off the site through the ground water flow system.

The proposed site is currently, and has been under cultivation, since the early 1900's and, therefore, is void of any native plants of concern. As well, no wildlife species classified endangered, threatened, or vulnerable occur on the site. Fish habitat is not present.

In terms of accessibility, the twinning of Highway 75 is scheduled for completion within 5 years including a bypass of the Town of Morris and a grade separation planned at the Highway 14 intersection. Widening and upgrading of Highway 14 is expected to occur within the next few years.

The population in the Rural Municipality of Montcalm currently estimated to be about 745 people, has been steadily declining over the past 25 years.

ENVIRONMENTAL ASSESSMENT

The environmental assessment was based upon the draft guidelines provided by Manitoba Environment and evaluates the effects associated with both the construction and operation phases of the facility.

Socio-Economic Effects

A property and product value protection plan has been developed. It is not expected that decreased property and agricultural values would occur.

During the construction phase it was estimated that 35 to 55 jobs would be created in the first increment and an additional 15 to 25 in the second.

The operation phase would provide a significant economic impact locally with a payroll of $2.3 million. Annual municipal tax revenues of between $190,000 and $215,000 are anticipated.

Biophysical and Land Use Effects

Any effects from construction would be intermittent and localized and would be primarily dust and exhaust fumes from earth moving equipment.

During operations, the technology, design and operating standards established would minimize any adverse environmental effects. Some emissions would occur during normal operations but would have little or no effect on the site and no significant effect beyond the site. No impacts on surface or ground water are predicted.

The proposed facility would have no adverse impacts on wildlife or livestock, and no significant impacts on soils and vegetation beyond the site boundary.

Any potential land use effects were addressed and mitigated in the siting process and it was suggested that the co-management process would ensure that any potential land use issues could be addressed in the future, should they arise.

In addition to what had been provided during the presentation, Manitoba Environment were interested in additional details on environmental mitigation during construction. The Corporation responded that proper scheduling of activities would help mitigate adverse impacts and that if dust was a problem they could consider spraying water during earth moving activities. Responding to a supplemental question the Corporations lack of familiarity with a 1980 Federal Government document dealing with construction measures to minimize impact was acknowledged.

Human Health Risk

A public health profile undertaken within the 8 kilometer radius of the proposed site indicated no significant differences in the health status of individuals currently residing around the site as compared to a controlled area in central Manitoba.

There are three main components of the risk assessment process including exposure assessment, hazard evaluation and risk characterization.

To determine the health risk, the potential emissions were quantified and the various steps in the process reviewed, the control systems efficiency projected and the potential emission sources identified.

Emphasis was placed on the health risk assessment of the contaminated soil treatment facility, as this potentially represents the largest single source of emission in the facility (83% of the estimated chronic cancer risk). The soil bio-remediation facility proposed by the Corporation, is enhanced by an enclosed operation where volatile emissions are captured and treated. The Corporation stressed that this treatment was appropriate on the basis of the risk assessment and the EIA and could be achieved with minimal economic "penalty" compared to the conventional approaches. This was stated to be consistent with a report issued by the Canadian Petroleum Products Institute.

Only a fire in an organic storage tank or the mixing of incompatible reagents were predicted to have potential to cause impacts on health beyond the site boundaries. However, it was noted that given the safety features of the system and the assumptions and estimates upon which this was based, such an occurrence would be extremely unlikely.

The risk of water contamination was predicted to be low.

Using conservatively high emission rates and upset probabilities, including worst case scenarios, the assessment concluded the health risks associated with the proposed hazardous waste facility would be the same or perhaps less than other common activities and facilities. Any risk to public health or the environment that might be attributed to the proposed development was more than balanced by the risk reduction associated with current treatment and disposal practices or uncontrolled transportation of these materials.

Transportation Risk

Although the risk associated with the transportation of hazardous waste was considered to be the most significant of any of the risks associated with the facility, it was pointed out that the increased risk was less than one percent of that currently existing from the transportation of dangerous goods, which itself constitutes a very small risk. The risks would be mitigated by the route selection process and various other measures identified in the EIA. However, total avoidance of spills resulting from accidents over the life of the management system was not possible. Residual impacts of a spill would be those residual contaminants remaining after spill cleanup, and would be mitigated through a prompt and comprehensive spill clean up program.

ENVIRONMENTAL MONITORING PROGRAM

An environmental monitoring program would be established to ensure regulatory compliance, provide ongoing assurance of environmental performance to the public, and to provide long-term evaluation of the facility's potential impact on environmental quality. Monitoring would include air, soil and snow, ground and surface water, vegetation and agriculture products and biological indicators.

The monitoring program would be subject to independent interpretation and audit by the community and by government regulators. The program's scope and methodology would be subject to review and approval by the community.

Responding to a question on the long term use and monitoring of the site, the Corporation advised that there is the concept of the permanent long term or "monumented use of the site" identifying the use conditions associated with possible future use. It was indicated that the material to be stored at the site would be far superior to that material which is currently stored in landfills.

ON-GOING PUBLIC AND COMMUNITY PARTICIPATION

The draft Co-management Agreement with the municipality has been approved in principle by the Corporation and by the Municipal Council. The agreement would be signed when

the EIA licensing process is complete. Future expansion of the facility, or any significant change in technology, would require community approval.

It was reported that an agreement was currently being negotiated between the Province and the Municipality which would include a guarantee of the financial obligations for property and agricultural products, as well as the long term monitoring activities after decommissioning of the site. A provision for the land to remain in Crown ownership is also being negotiated.

An additional agreement also being negotiated between the Province and the Municipality would ensure public access to all relevant process and waste product information.

When completed, these agreements would allow and support a substantial and continued involvement of the community in the development and operation of the facility.

CITIZEN AND GROUP PRESENTATIONS

Nick Carter, Winnipeg, Manitoba (Manitoba Environmental Council)

Mr. Carter expressed concern that Winnipeg, which is the generator of the majority of the hazardous wastes in Manitoba, could not accommodate the facility. He felt that the process was being "fast tracked" and that selection of the Montcalm site, the completion of the application, and scheduling of the hearing should not have taken place until the report of the Winnipeg Community Advisory Group was completed and submitted. He suggested that this could cause those who volunteered to serve on the group to question the credibility of the process. The panel members were encouraged to read the report which he felt contained a number of recommendations with a bearing on any facilities of a "hazardous waste nature".

The Council representative also expressed a concern about the guideline development process and the need for dealing with major projects in a staged manner.

Mr. Carter suggested that further clarification was required in terms of funding for decommissioning. On-going monitoring and maintenance required further elaboration, and additional information was required on the co-management agreement regarding community impact and compensation. He also expressed a need for more information on insurance for the operation of the

facility. The need for some ongoing role for representatives from Winnipeg was also raised by the Council representative

Finally, Mr. Carter questioned whether the province would be able to ensure a proper level of enforcement, and felt that the lowest cost disposal might continue to be the ditches and the sewers.

On the funding issue, the Corporation indicated that they were obligated to develop a suitable mechanism to finance any post closure activities. Although they had not yet developed a specific mechanism, they advised that it would have to be part of the business operating arrangement.

On the insurability issue, the Corporation advised that they were developing a "financial risk mitigation plan", which would set out the level of coverage and that a good surety package would be in place. This package would go beyond general comprehensive insurance into the area of environmental impairment insurance.

With respect to the point that many of the recommendations made in the Winnipeg Advisory Committee report ought to be considered, the Corporation agreed and indicated that they had been guided by both the Winnipeg report and the Montcalm Advisory Committee report even though only a draft Winnipeg report was available. The point was also made that many of the recommendations in the Winnipeg report tended to be more public policy oriented.

On the point concerning the City of Winnipeg being represented on an ongoing basis through the co-management activity of the Municipality or some other mechanism, the Corporation felt that this would be a decision to be made by the Municipality, however, the Corporation were of the opinion that the R. M. was in the best position to provide oversight on the operations. He reminded the panel that the City of Winnipeg did have representation on the Board of Directors of the Corporation.

Florent Beaudette, Letellier, Manitoba (Rural Municipality of Montcalm)

Mr. Beaudette, Reeve of the Rural Municipality of Montcalm, indicated that the Council was satisfied that the facility would have no adverse impacts on the local environment. He also indicated that they were satisfied with the agreements negotiated between the R. M. and the Corporation regarding co-management, monitoring, and the operational safeguards as set out in the Montcalm Advisory Committee report. Considering the above, and the favorable economic impact,

the Montcalm Municipal Council unanimously supported the Corporation license application. He also recommended that any other facility in the province operate under the same rules and regulations.

Responding to a question from the panel regarding the reasons for the 30% or so of the local residents responding "negatively" to the questionnaire on the location of the facility in Montcalm, Mr. Beaudette advised that he felt it was based upon misinformation.

Phillippe Sabourin, St. Jean Baptiste, Manitoba (St. Jean Baptiste Development Corporation, and the St Jean Baptiste Chamber of Commerce)

Mr. Sabourin stated that the Board of Directors of the Development Corporation and the Chamber of Commerce were in favor of the development of the facility in Montcalm. They felt it was important for diversification and that they anticipate receiving economic benefits from the development. He stated that it would be important for Montcalm to have input into operations on an ongoing basis.

Dennis Foidart, St. Jean, Manitoba (Montcalm Terms and Conditions Negotiating Committee)

Mr. Foidart advised that the final report of the Terms and Conditions Negotiating Committee was presented to the public at three local open houses, and that the co-management agreement was acceptable to the Municipality and to the Corporation. The fundamental items in the agreement were the access to information and municipal input into decisions.

The Terms and Conditions Negotiating Committee expressed a desire to see agricultural use continue on the undeveloped portion of the property. They felt it was also important for prompt development of the site. Mr. Foidart indicated that the Committee was negotiating an agreement with the Province to ensure no change in site ownership without approval of the Municipality.

The Committee also expressed concern that regulations and enforcement must ensure that producers of hazardous waste are held responsible for the proper management of their wastes. They felt the Municipality should review the licence before it was granted. The Montcalm committee would consider representation from the City of Winnipeg on the monitoring committee.

Mr. Foidart stressed the need for Manitoba Environment to consider proper and consistent methods for dealing with hydrocarbon contaminated soil.

Sam Schellenberg, Altona, Manitoba (General Manager, Pembina Valley Development Corporation)

Mr. Shellenberg indicated that support for the facility was the unanimous decision of his Board. He stated that the facility and related transportation would have no negative environmental impacts. He stated further that many of the waste materials more appropriately should be identified as industrial wastes. The Development Corporation agree with the terms negotiated between the Rural Municipality of Montcalm and the Manitoba Hazardous Waste Management Corporation and felt that the facility would not impact negatively on agriculture.

Robert Gallant, Letellier, Manitoba (Letellier and District Chamber of Commerce)

Mr. Gallant stated that he was very pleased that the hazardous waste management facility was being located in the Rural Municipality of Montcalm. He felt it was important as a decentralization activity and would result in good local economic spin offs. He also suggested that the staff of the facility would be an excellent addition to the community and they would be well received.

Rhael Remillard, St. Joseph, Manitoba (Private Citizen)

Mr. Remillard spoke against the location of the facility in Montcalm and provided a number of printed articles in defence of his position. He indicated that his main concern dealt with the burial of wastes and their potential impact on agriculture and drinking water. He reviewed examples of facilities in Minneapolis and Chicago and the problems related to poor operations and the impact on the operations when a company is motivated by profit maximization goals. He also suggested that the Montcalm facility would not be utilizing the best or most current technology and thought emphasis should be placed on processes that would transform the wastes into non-toxic materials that could be reused.

Mr. Remillard stated that the conditions documented by the Corporation and the Municipality had not been followed and that development would cause a split between the three

communities in Montcalm. He also stated that he was recently informed that Manitoba Hydro was interested in a quarter section adjacent to the Corporation for waste disposal.

Gilles Sabourin, St. Jean Baptiste, Manitoba (Private Citizen)

Mr. Sabourin, a resident of Ward 3 in Montcalm, indicated that he rents land adjacent to the facility, although he resides 3 1/4 miles from the site. He participated in several of the open houses and visited the Roseville, Minnesota treatment plant. He indicated that he had researched the matter and felt there would be no problem with the facility. He believes it to be a good development for the area and gave his support to the project.

Jack Cronk, St. Jean Baptiste, Manitoba (Environmental Impact Assessment Committee)

Mr. Cronk presented a brief prepared by the Environmental Impact Assessment Committee, a volunteer group appointed by the Montcalm Council to review and monitor the EIA document. They felt that the public input process provided ample opportunity for awareness and input. He identified the significant transportation issue to be routing and scheduling, vehicle design, driver training, and regular vehicle inspection and maintenance.

He advised that the Environmental Impact Assessment Committee felt that storage and housekeeping could become a problem and recommended indoor storage for all chemical containers except for the treated soils from the remediation process. He urged the Corporation to consider the block casting of wastes into concrete to immobilized the wastes. The Committee were comfortable with all other aspects of the proposal and felt that the facility would have a positive environmental impact since it would treat elements currently improperly discarded in sewers and landfills. They felt that the minimal risks would be no greater than those associated with industry or farming. He stated that the term "hazardous waste" generated undue negative concerns.

Bill Harder, Morris Manitoba (Town of Morris)

Mr. Harder stated that the Town of Morris had been invited to identify a Morris council member to sit as a member of the Montcalm Advisory Committee because of the potential transportation of hazardous waste materials through the Town of Morris to the Montcalm site. As that member, he had been involved in the committee discussions. He felt that the transportation of hazardous materials through the Town of Morris posed no problem. He presented two resolutions

from the Morris Town Council, one supporting the continued study and the second requesting the hearing.

Jake Schroeder, Altona, Manitoba (Rural Municipality of Rhineland)

Mr. Schroeder registered support on behalf of the Rural Municipality of Rhineland for the facility being located in Montcalm. His Council felt assured that the proposed facility for hazardous waste treatment and the processes employed would be carried out in an environmentally controlled atmosphere. The Council encouraged prompt approval in order that construction could proceed.

Art Dyck, Altona, Manitoba (Town of Altona)

Mr. Dyck complimented Montcalm on the process used to reach majority agreement on the facility. He indicated that the process including the referendum were an exemplary exercise of the democratic process. He stated that having the proposed facility in the neighborhood represented no more, and possibly less of a threat to the environment and human health, than many other activities of mankind.

George Rajotte, Winnipeg, Manitoba (Western Industrial Services Ltd.)

Mr. Rajotte welcomed the opportunity to work with the Corporation. He noted that his company had a past working relationship with the Corporation and felt that the Corporation would be a sound and ethical partner.

Brian Pannell, Winnipeg, Manitoba (Private Citizen)

Mr. Pannell stated that the success of the facility would be influenced by the lack of enforcement on the part of the Province and the way government handled other applicants for hazardous waste treatment services. He suggested that although the regulatory authority existed, basic enforcement was lacking which would create an inducement for inappropriate disposal of waste. He provided comparisons of other jurisdictions that have dealt with enforcement issue adequately.

With respect to the licensing of other operations, he suggested that this was being done with little regard to the total system requirements. In his view, the licensing of hazardous waste management facilities was inconsistent, and that entrepreneurs had the opportunity to benefit by

dealing with the most lucrative waste streams which would place the Montcalm facility at a financial disadvantage since they could be left with the most costly and least profitable waste streams.

He also stated his disappointment that the facility was not to be located in the Winnipeg region which remains the greatest generator of hazardous wastes. Because of the location, he felt that the public would lose interest in the issue at a time when public pressure was needed to influence a greater commitment to enforcement and a resulting reduction of waste at the source.

He recommended that a neutral public representative was required as an addition to the monitoring committee, and that full public disclosure on the operations of the facility was needed. It was requested that the panel review the recommendations of the Winnipeg Advisory Committee report carefully.

Mr. Pannell stated that the handling and disposal of pesticide containers was less than desirable, and that the various proposals for soil remediation should be considered by the Commission and dealt with in a similarly rigorous manner as the proposal by the Corporation.

Claude Goulet, St. Jean Baptiste, Manitoba (Unincorporated Village District of St. Jean Baptiste)

Mr. Goulet noted that the Village was satisfied with the results of the process so far, and supported the continuation of the project in Montcalm.

Edward Brethour, Hamiota, Manitoba (Hamiota Community Advisory Committee)

Mr. Brethour, as a member of the advisory committee, indicated that the term "hazardous waste" created a problem within the community. They should be dealt with as "dangerous goods" and treated in the same manner.

Manitoba Environment, (Presentation By John Jonasson, Chief of Hazardous Waste Approvals)

Mr. Jonasson advised that he had chaired the Technical Advisory Committee that had prepared the EIA guidelines for the proposal.

In terms of licensing and regulatory enforcement, Mr. Jonasson indicated that if a license was issued to the Corporation for the establishment of the facility under The Dangerous Goods Handling and Transportation Act, the license would consist of various terms and conditions dealing with the facility during construction, operation and decommissioning. Mr. Jonasson indicated that the Corporation had agreed to address a number of concerns identified by the TAC which include:

- increasing the scope of baseline monitoring;
- facility protection from future land-use encroachment;
- development plan requirements;
- site access from PTH #14 ;
- discharge of process water; and,
- surface and ground water impacts.

Environmental monitoring of all potential receptors would be conducted by the proponent and results reported to Manitoba Environment. In addition, detailed annual and possibly semi-annual reports on the operation of the facility and the wastes handled would be required to ensure compliance. Manitoba Environment would undertake site inspections including the monitoring of various receptors. Inspections would be carried out on frequent basis without notification.

The Department would work with the Corporation in identifying additional studies that might be undertaken which could result in modifications being made to processes or practices for treating hazardous wastes.

The formation of a community liaison committee was recommended.

Proclamation of the DGH&TA would provide the necessary regulatory tools to comprehensively manage hazardous waste. Enforcement inspections were identified as Manitoba Environment's "highest priority" and adequate resources would be allocated to the Montcalm facility. In addition, the upgrading of laboratory capabilities and the dedication of laboratory capabilities was scheduled to take place.

Montcalm facility inspections would be carried out on a frequent, regular basis without notification.

Proper hazardous waste disposal was identified as a critical issue with Manitoba Environment and improper disposal would not be tolerated. If the means of disposal being practiced

by other operators is determined to be inappropriate, this could result in the re-direction of the waste to the Corporation's facility.

The Department agreed, that for the most part, the Montcalm and the Winnipeg sites were equally rated. Both sites offered a high level of environmental protection, although the City site rated better with respect to risk, overall economic benefit, and integration into the overall system. Manitoba Environment stated that they agreed with the assessment by the Corporation that the Rural Municipality of Montcalm earned the development and would provide an economically sound location.

He indicated that as modifications or additions are proposed, Manitoba Environment would determine if changes to the license were required, and that a comprehensive waste tracking system would be required and reported on to Manitoba Environment.

Questions were directed at the issue of departmental enforcement capability and changes to enforcement policy. These were based upon the assumption that integral to the successful operation of the facility, and the objective of achieving some 85% reduction of waste at the source, was an increased and dedicated commitment on the part of Manitoba Environment to enforcement. Manitoba Environment's response reflected on the statement made in the presentation that "enforcement inspections is Manitoba Environment's highest priority" and confirmed that adequate enforcement would be dedicated to the facility.

Since a number of the questions were directed at departmental operations, and the enforcement of regulations, it was stated that these might best be dealt with by the Assistant Deputy Minister of the Environmental Operations Division.

A participant stated that he felt that proper and adequate enforcement of the laws would be one of the inducements to cause generators to use and pay the fee for use of the facility. Environment's response was that they were in agreement.

Mr. Jonasson agreed that the department would be zealous in the enforcement of regulations resulting in hazardous waste being appropriately managed

A question was raised on whether or not the licensing procedures for others seeking to manage waste was consistent with the process that the Corporation used. Manitoba Environment

advised that proposals were handled in a consistent manner, but that not all proposed developments went to the hearing stage. The statement was made that they would have to review the applications more aggressively, and insure that submissions from other prospective operators and developers of facilities were complete and comprehensive.

Since this application would be the first to be licensed under the new sections to be proclaimed under The Dangerous Goods Handling and Transportation Act, the Corporation requested an opinion from Environment on whether the application filed for the Montcalm facility fulfilled all the procedural obligations under the DGH&TA. Manitoba Environment responded that they were comfortable that all the procedural requirements of both The Environment Act and the DGH&TA have been met.

Since Manitoba Environment had identified a number of anticipated conditions to the license, the Corporation wished to know if the same conditions as well as community involvement in inspections would be a requirement of other proposed facilities. Environment responded by indicating that the same conditions would be a requirement of other facilities and that it would be the hopes of the Department to have communities more actively involved in other proposals.

The Corporation requested clarification as to possible changes under consideration with respect to treatment of hydrocarbon contaminated soil. In particular, they requested the position of the Department regarding release of volatile organic compounds directly into the atmosphere. Continuing with this component of the facility would be a costly business decision and they wanted some assurance that all hydrocarbon soil remediation facilities would have similar requirements and that operators would be on a "level playing field". Environment advised that as a member of the Canadian Council of Ministers of the Environment their polices were currently being assessed and that he was not knowledgeable on the issue of future atmosphere emission requirements and therefore could not respond.

DISCUSSION

The Province of Manitoba began to consider the question of hazardous wastes more than a decade ago. A symposium was held in Winnipeg with a wide cross section of speakers and participants to consider the questions surrounding this issue. Two sets of formal public hearings on hazardous wastes were held under the aegis of the Clean Environment Commission, one in the fall of 1983 and a second in 1986. These hearings were held throughout the province and generated considerable interest and enthusiasm. As a result of these and other initiatives, the province established the Manitoba Hazardous Waste Management Corporation in 1986. The principle mandate of this crown corporation was to develop and operate a hazardous waste management system for Manitoba.

The Corporation has worked carefully and diligently in attempting to locate a central hazardous waste management facility for the province in an area that satisfies not only technical, health and environmental considerations but also meets with approval from a majority of the citizens in the area in which it is to be located. A reflection of the high level of public acceptance for the Montcalm site was apparent in results from a referendum taken in the Municipality which showed 67% of a large turn-out casting ballots in favour of the facility's establishment in their community.

The Corporation have sought reputable consultants and suppliers in undertaking the assessment and design of the proposed facility. The Environmental Impact Assessment of the proposal appears thorough and complete and indicates that environmental impacts can be mitigated. The proposed site offers natural protection to the ground water aquifer. Impacts on surface water quality appear to be minimal or non-existent. Air emissions will be regulated to meet regulatory objectives. The site itself is relatively remote, and nearby agricultural production is not expected to experience any impact. Provisions have also been made to ensure mitigation of any environmental concerns that remain. In short, the presentation given by representatives of the Corporation clearly demonstrated to the Commission the extreme care and forethought that has gone into the site selection and facility design stages of this application.

The Corporation has dealt with the community in an open and forthright manner and has sought to secure public acceptance and understanding of the proposal through workshops and open houses. The Corporation has committed to an on-going citizen participation program in the community.

A great majority of the presentations to the Commission indicated support for the licensing of the application. The general consensus seemed to suggest that the citizenry felt that the facility would be environmentally sound and that it represented a viable new industry for the region.

OBSERVATIONS

During the public hearing process, the following general observations were made by the Commission. These observations do not form part of the Commission's specific recommendations concerning the licence application, however, they are identified as matters of interest and concern that warrant consideration.

- Several speakers identified a concern that the Final Guidelines for the preparation of the Environmental Impact Assessment (EIA) of the proposal were not issued to the proponent until the assessment document had been completed. It was suggested that this resulted in a situation whereby the public was not provided with an opportunity to review and comment on the Final Guidelines.

- A number of participants and Corporation representatives emphasized the need to ensure that all future proposals for hazardous waste facilities in Manitoba be given the same environmental scrutiny as the present proposal. The need to strive toward the "level playing field concept" was suggested.

- A number of speakers emphasized the importance of ensuring that Manitoba Environment be provided with adequate monitoring and regulatory resources in order to ensure the effective management of hazardous wastes in Manitoba, and specifically, the management of any licence issued to the Applicant for the establishment of a hazardous waste management facility.

CONCLUSION

The Commission was impressed with the development program of the Hazardous Waste Management Corporation in working with various Manitoba communities and in particular with the Council and residents of the Rural Municipality of Montcalm, in bringing to fruition a decision to locate a central hazardous waste facility in their municipality. The Commission noted, in fact, that of 14 representations made at the public hearing, only one expressed concern with the process and the proposed facility location.

The Environmental Impact Assessment prepared on the application demonstrated that the environmental impacts of the facility development and operation would be mitigated.

RECOMMENDATIONS

Premise to the licence:

The CEC recommends that Manitoba Environment issue a license to the Manitoba Hazardous Waste Management Corporation for the construction and operation of a central hazardous waste management facility in the Rural Municipality of Montcalm on NE Section 2, Township 3, Range 1 EPM, with a design capacity of up to 30,000 tonnes per year of organic and inorganic waste, up to 40,000 tonnes per year of contaminated soil, and with a secure landfill capacity of 15,000 tonnes per year, and that the following terms and conditions be complied with during construction and operation of the facility, up to and including post-closure:

(1) The applicant shall obtain the permission of the City of Winnipeg before delivering any liquid effluent from the facility to one of the City of Winnipeg pollution control centers (where liquid effluent has the meaning of wastewater associated with the treatment process, clean-up water, or contaminated run-off). In the event that these receptors are not available, permission from Manitoba Environment must be obtained prior to using an alternate site for effluent disposal.

(2) The applicant shall ensure that surface run-off from the plant is collected and stored in water retention ponds for subsequent use and/or release on to land or into surface water courses, ensuring that contamination limits do not exceed the Manitoba Surface Water Quality Objective prescribed for the water course involved or limits imposed by Manitoba Agriculture for irrigation.

(3) The applicant shall not discharge any air emissions from any point or non-point source from the facility in excess of limits prescribed by the Manitoba Air Quality Guidelines and Objectives (1988) and in the absence of limits being available, not in excess of those prescribed by Manitoba Environment.

(4) The applicant shall ensure that approaches to the facility can be accessed safely by all vehicles entering and exiting the facility, and that all necessary safety measures are taken to ensure the safe passage of through traffic on PTH #14.

(5) The applicant shall ensure that pollution abatement equipment operates effectively at all times.

(6) The applicant shall undertake environmental monitoring at the plant site, according to a program approved by Manitoba Environment, during the pre-operational, operational and subsequent post-operational stages.

(7) Manitoba Environment shall prescribe a reporting procedure respecting the environmental monitoring program, and ensure public access to the results.

(8) The applicant shall ensure that solid wastes that are disposed of in the secure landfill are wastes which have been rendered non-hazardous.

(9) The applicant shall construct a Residue Repository for the disposal of immobilized waste products with a lining and a cap to prevent infiltration of ground or surface water and also to contain any leachate generated within the cells.

(10) The applicant shall not store PCB contaminated material without the approval of Manitoba Environment and the Community Liaison Committee except in such small amounts as may come to the facility as part of the household hazardous waste program.

(11) Title for the property upon which the facility is to be constructed shall remain in the name of the Province in perpetuity.

(12) The applicant shall put in place within a reasonable time frame, an agreement between the Hazardous Waste Management Corporation and the Rural Municipality of Montcalm, a Co-Management Agreement dealing with the formation of the Community Liaison Committee and other matters as agreed to between the Municipality and the Corporation.

(13) The various items of agreement under discussion between the Rural Municipality and the Province of Manitoba and mutually agreed to, should be formalized.

(14) The applicant shall by July 31, 1993, file with Manitoba Environment a rehabilitation plan in the event of the closure of the facility.

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APPENDIX B: LIST OF EXHIBITS

1. Letter, dated March 31, 1992 from **Hon. J. Glen Cummings**, Minister of Environment, Province of Manitoba, to Dale Stewart, Chairman, Manitoba Clean Environment Commission.

2. Introductory Remarks: Clean Environment Commission Hearings, June 8, 1992. Submitted by R. J. Cooke, President and Chief Executive Officer, **Manitoba Hazardous Waste Management Corporation**.

3. Manitoba Hazardous Waste Management Corporation Presenters: Clean Environment Commission Hearings, June 8, 1992. Submitted by R. J. Cooke, President and Chief Executive Officer, **Manitoba Hazardous Waste Management Corporation**.

4. Fifth Annual Report 1991: The Manitoba Hazardous Waste Management Corporation Submitted by **R.J. Cooke**, President and Chief Executive Officer, Manitoba Hazardous Waste Management Corporation.

5. Licence Application and Environmental Impact Assessment for Manitoba's Central Hazardous Waste Management Facility in the Rural Municipality of Montcalm. Submitted by the **Manitoba Hazardous Waste Management Corporation.**

6. Licence Application and Environmental Impact Assessment for Manitoba's Central Hazardous Waste Management Facility in the Rural Municipality of Montcalm. "Technical Appendices" [Index (a) - (vv)] Submitted by the **Manitoba Hazardous Waste Management Corporation**.

   (a) Final Report - Hazardous Waste Management Facility Investigation, May 1990 - July 1991, Montcalm Advisory Committee, 1991.

   (b) R.M. of Montcalm Detailed Site Evaluation, UMA Engineering Ltd., 1991.

   (c) R.M. of Montcalm Detailed Site Evaluation Additional Groundwater Chemistry and Isotope Studies, UMA Engineering Ltd., 1992.

   (d) Site-Specific Transportation Risk Assessment Phase 1 - Data Collection and Methodology Development, M.M. Dillon Limited, 1991.

   (e) Site-Specific Transportation Risk Assessment Phase 2 - Site Specific Examinations, M.M. Dillon Limited, 1991.

   (f) Site Specific Risk Assessment Montcalm Site, Volumes 1 & 2, Reid Crowther & Partners Ltd., 1992.

   (g) Evaluation of Health Risks Associated with Treatment of Contaminated Soils at Montcalm Site, Reid Crowther & Partners Ltd., 1992.

   (h) Economic Impact Study of the Proposed Manitoba Hazardous Waste Management Facility in the Rural Municipality of Montcalm, Manitoba, Intergroup Consultants Ltd., 1991.

   (i) Data Collection and Mapping for Siting a Hazardous Waste Management Facility in the R.M. of Montcalm, I.D. Systems Ltd., 1990.

(j) Basic Design Specification Central Hazardous Waste Management Facility Rural Municipality of Montcalm Volume 1 Report, Reid Crowther & Partners Ltd., 1992.

(k) Basic Design Specification Central Hazardous Waste Management Facility Rural Municipality of Montcalm Volume 2 - Technical Appendices, Reid Crowther & Partners Ltd., 1992.

(l) Occupational Health Service for the Proposed Hazardous Waste Treatment Facility, Kraut, Elias and Wylie, 1991.

(m) Discussion Document - Proposed Site Selection Process for the Development of a Hazardous Waste Management System, Manitoba Hazardous Waste Management Corporation, July, 1988.

(n) Discussion Document - Proposed Site Selection Criteria for the Development of a Hazardous Waste Management System, Manitoba Hazardous Waste Management Corporation, October, 1988.

(o) Data Collection and Mapping for Siting a Hazardous Waste Management Facility in the City of Winnipeg, I.D. Systems Ltd., 1990.

(p) Site Screening Investigations in the City of Winnipeg, Manitoba Hazardous Waste Management Corporation, 1990.

(q) Rural Municipality of Montcalm Reconnaissance Drilling Program, KGS Group, 1991.

(r) R.M. of Montcalm Floodrisk Considerations, KGS Group, 1991.

(s) Site Selection for a Hazardous Waste Management Facility in the City of Winnipeg, Manitoba Hazardous Waste Management Corporation, 1991.

(t) System Scope and Technology Study Part I - Strategy Review, Reid Crowther & Partners Ltd., August, 1988.

(u) System Scope and Technology Study Part II - Technology Review, Reid Crowther & Partners Ltd., December, 1988.

(v) System Scope and Technology Study Part III - Conceptual Design, Reid Crowther & Partners Ltd., December, 1988.

(w) Basic Facility Design Specification and Technology Characterization: Part 2 - Process Definition, Part 3 - Generic Technology Selection, Volume I - Report and Volume II - Technical Appendices, Reid Crowther & Partners Ltd., 1991.

(x) Hazardous Waste Market Characterization Study for Manitoba, Manitoba Hazardous Waste Management Corporation, November, 1989.

(y) Project Proposal for the Major Facilities Required for a Provincial Hazardous Waste Management System, Manitoba Hazardous Waste Management Corporation, 1990.

(z) Report on Site Selection Process and Public response Through the November, 1988 Open Houses, Manitoba Hazardous Waste Management Corporation, March 1989.

(aa) Land Value Protection Program for Hamiota and Region, Roland/Weir Realty & Appraisal and the Community Advisory Committee, Hamiota and Region, 1990.

(bb) Attitudes and Perceptions Toward Construction of a Hazardous Waste Facility in Winnipeg, Results Group, 1990.

(cc) Quantitative Investigation of the Attitudes and Perceptions of the Residents of the R.M. of Montcalm Towards a Hazardous Waste Treatment Facility, Dennis McKnight 2051 Inc., 1991.

(dd) Draft Report of the Winnipeg Community Advisory Group on Hazardous Waste, February, 1992.

(ee) Transportation Risk Assessment Part 1 - Data Collection and Model Development, M.M. Dillon Limited, December, 1989.

(ff) Health Concerns and Hazardous Waste, Yassi Weeks and Kraut, March, 1990.

(gg) Generic Risk Assessment Volumes 1 & 2, Reid Crowther & Partners Ltd., 1991.

(hh) Transportation of Hazardous Waste, M.M. Dillon Limited, 1991.

(ii) Supplemental Transportation Risk Assessment - Soil Remediation, M.M. Dillon Limited, 1991.

(jj) Baseline Health Assessment of an Area Surrounding the Proposed Montcalm Site for the Hazardous Waste Treatment Facility, A. Kraut, 1992.

(kk) Manitoba Hazardous Waste Management Corporation Act, 1986.

(ll) The Clean Environment Commission Report on Public Hearings: Phase I - Stage II, Manitoba Hazardous Waste Management Program, November 12, 1986 - January 20, 1987, Volumes 1 and 2.

(mm) The Development of a Hazardous Waste Management System in Manitoba, Manitoba Hazardous Waste Management Corporation, August, 1988.

(nn) Report of the Third Household Hazardous Waste Days, Winnipeg, MB 1988, Manitoba Hazardous Waste Management Corporation, 1989.

(oo) Pilot Pesticide Container and Residue Management Project, Manitoba Hazardous Waste Management Corporation, 1989.

(pp) Hazardous Waste Environmental Education Resource Kit for Manitoba Teachers - Suggested Activities K - 12, Manitoba Hazardous Waste Management Corporation, 1989.

(qq) Due Process: A Snapshot of Public Participation in the Site Selection Process for the Manitoba Hazardous Waste Management Corporation, Manitoba Eco-Network, February, 1990.

(rr) Hazardous Waste Collection Depot Report on Operations December 16, 1989 to December 8, 1990, Manitoba Hazardous Waste Management Corporation.

(ss) Draft Guidelines for an Environmental Impact Assessment of the Proposed Hazardous Waste Transfer and Management Facilities in Manitoba, Manitoba Department of Environment, January, 1992.

(tt) Manitoba Hazardous Waste Management Corporation Corporate Profile.

(uu) The Manitoba Hazardous Waste Management Corporation Forth Annual Report 1990.

(vv) Site Selection for Manitoba's Central Hazardous Waste Management Facility, Manitoba Hazardous Waste Management Corporation, 1992.

7. Letter, dated May 21, 1992 from Jerry Lunansky, Special Waste Control Chemist, Waterworks, Waste, and Disposal Department, City of Winnipeg, to E. Yee, Manitoba Hazardous Waste Management Corporation. Submitted by the **Manitoba Hazardous Waste Management Corporation.**

8. Brief, "Manitoba Clean Environment Commission RE: Manitoba Hazardous Waste Management Licence Application" submitted by Florent Beaudette, Reeve, **Rural Municipality of Montcalm.**

9. Brief, "Re: Clean Environment Commission on the Central Hazardous Waste Management Facility in the R.M. of Montcalm", submitted by Philippe Sabourin, President, **St. Jean Baptiste Development Corporation.**

10. Brief, "Re: Manitoba Hazardous Waste Management Corporation - Central Hazardous Waste Management Facility - Rural Municipality of Montcalm (File: 3440)", submitted by **Terms and Conditions Negotiating Committee, R.M. of Montcalm.**

11. Agreement, dated May 22, 1992, between Manitoba Hazardous Waste Management Corporation and the Rural Municipality of Montcalm, submitted by **Terms and Conditions Negotiating Committee, R.M. of Montcalm.**

12. Letter, with attached Agreement, undated, between Her Majesty the Queen, in Right of the Province of Manitoba and The Rural Municipality of Montcalm, from Jonathan Scarth, Principal Secretary to the Premier to Mr. Denis Foidart, Montcalm Advisory Committee, submitted by **Terms and Conditions Negotiating Committee, R.M. of Montcalm.**

13. Brief, "Presentation by the Pembina Valley Development Corp. to the Clean Environment Commission Public Hearings - Letellier on the Hazardous Waste Disposal Facility R.M. of Montcalm",with attachment, *Rubbish to Resource: a Waste Management Study, August, 1990,* submitted by the **Pembina Valley Development Corp.**

14. Brief, "Subject: Brief against the Hazardous Waste Disposal and Treatment Facility in the Municipality of Montcalm", with attachments (various), submitted by **Rhael Remillard.**

15. Brief, "Subject: Manitoba's Central Hazardous Waste Management Facility in The Rural Municipality of Montcalm", submitted by the **Environmental Impact Assessment Committee of Montcalm.**

16. Resolution, No. 03/04/92, dated April 9, 1992, of the Town of Morris, submitted by Bill Harder, **Town of Morris.**

17. Resolution, No. 08/11/90, dated November 8, 1990, of the Town of Morris, submitted by Bill Harder, **Town of Morris**.

18. Brief, "Presentation to the Clean Environment Commission, June 10, 1992", submitted by Jake Schroeder, Reeve, **R.M. of Rhineland**.

19. Brief, "Re: Location of Hazardous Waste Disposal in the R.M. of Montcalm", submitted by Art Dyck, Mayor, **Town of Altona**.

20. Letter, dated May 28, 1992 from Claude Goulet, **Unincorporated Village District of St. Jean Baptiste**, to the Manitoba Clean Environment Commission.

21. Brief, "MHWMC CEC Hearings: Manitoba Environment's Perspective", submitted by **Manitoba Environment**.

22. Brief, "Manitoba Hazardous Waste Management Corporation Response to Draft Report of the Winnipeg Community Advisory Group on Hazardous Waste: March 18, 1992", submitted by the **Manitoba Hazardous Waste Management Corporation**.